

IN THE UNITED STATES PATENT AND TRADEMARK OFFICEApplicant(s): Robert MARTUZA *et al.*Title: **REPLICATION-COMPETENT HERPES SIMPLEX VIRUS
MEDIATES DESTRUCTION OF NEOPLASTIC CELLS**

Appl. No.: 10/788,410

Filing Date: 3/1/2004

Examiner: SHEN, Wu Cheng Winston

Art Unit: 1632

Conf. No.: 4953

APPEAL BRIEF TRANSMITTAL

Mail Stop Appeal Brief - Patents
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an Appeal Brief in the above-identified application.

[X] Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

<input type="checkbox"/> []	Extension for response filed within the first month:	\$130.00	\$130.00
<input checked="" type="checkbox"/> [X]	Extension for response filed within the second month:	\$490.00	\$490.00
<input type="checkbox"/> []	Extension for response filed within the third month:	\$1,110.00	\$0.00
<input type="checkbox"/> []	Extension for response filed within the fourth month:	\$1,730.00	\$0.00
<input type="checkbox"/> []	Extension for response filed within the fifth month:	\$2,350.00	\$0.00
EXTENSION FEE TOTAL:			\$490.00
<input checked="" type="checkbox"/> [X]	Appeal Brief Under 37 C.F.R. § 41.20(b)(2):	\$540.00	\$540.00
EXTENSION AND DISCLAIMER FEE TOTAL:			\$1,030.00
<input type="checkbox"/> []	Small Entity Fees Apply (subtract ½ of above):	\$515.00	
Extension Fees Previously Paid:			\$0.00
TOTAL FEE:			\$515.00

The above-identified fees of \$515.00 are being paid by credit card via EFS-Web.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment instructions in EFS-Web being incorrect or absent, resulting in a rejected or incorrect credit card transaction, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date January 27, 2011

By /Stephen A. Bent/

FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 672-5404
Facsimile: (202) 672-5399

Stephen A. Bent
Attorney for Applicant
Registration No. 29,768